

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD A. KIRKHAM,

Plaintiff,

v.

DELLA DOE, et al.,

Defendants.

Case No. C05-2131-MJP-JPD

ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION

On June 21, 2006, the Court issued an order granting plaintiff's motion for extension of time to conduct discovery in this 42 U.S.C. § 1983 civil rights action. Dkt. No. 21. The Court granted a 90-day extension because plaintiff's 120-day request appeared excessive in light of the specific discovery sought and plaintiff's relative sophistication. *Id.* This matter comes before the Court upon plaintiff's "reply to defendant's response" to his original motion. Dkt. No. 22. Because the "reply" follows the Court's order and renews plaintiff's request for the 120-day extension of time, the Court construes it as a motion for reconsideration. Having carefully considered plaintiff's motion and balance of the record, the Court ORDERS as follows:

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(1) Plaintiff's motion for reconsideration (Dkt. No. 22) is DENIED. Motions for reconsideration are disfavored and will ordinarily be denied in the "absence of a showing of manifest error . . . or a showing of new facts or legal authority which could not have been brought to [the Court's] attention earlier without reasonable diligence." Local Rule CR 7(h). Plaintiff has failed to make such a showing in this case. The Court is aware that plaintiff's incarceration has complicated his ability to litigate his case. Nevertheless, because discovery is progressing and plaintiff is attempting to retain counsel, the 90-day extension is appropriate at this time. If plaintiff later finds that the allotted 90-day discovery period is inadequate, he may renew his request for an additional extension of time.

(2) The Clerk is directed to send a copy of this order to the parties and to the Honorable Marsha J. Pechman.

DATED this 30th day of June, 2006.

James P. Donohue
 JAMES P. DONOHUE
 United States Magistrate Judge